

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MICHELLE JUDGE MCLAIN,)	
)	
Petitioner,)	
)	
v.)	1:12CV382
)	1:10CR341-2
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER AND JUDGMENT

BEATY, District Judge.

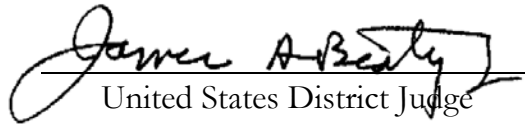
On April 3, 2015, the Recommendation of the United States Magistrate Judge [Doc. #48] was filed and notice was served on the parties pursuant to 28 U.S.C. § 636(b). In the Recommendation, the Magistrate Judge recommended that Petitioner's Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255 [Doc. #37] be denied for the reasons set forth in the Recommendation. No objections were filed within the time limits prescribed by § 636.

In the absence of objections, this Court reviews the Recommendation only for clear error. See Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005); Fed. R. Civ. P. 72 advisory committee's note. The Court has appropriately reviewed the Recommendation. Having done so, the Court finds that no clear error exists and the Recommendation should be adopted. The Magistrate Judge's Recommendation [Doc. #48] is therefore affirmed and adopted for the reasons set forth therein.

IT IS THEREFORE ORDERED AND ADJUDGED that Petitioner's Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255 [Doc. #37] is DENIED

and that this action (1:12CV382) is DISMISSED. IT IS FURTHER ORDERED that, finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is DENIED.

This, the 19th day of May, 2015.


United States District Judge